IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 21st day of August 2002

Criminal Misc. Bail Application No. 767 of 2002

CRIMINAL SIDE

Dheeraj Kumar alias Battu, son of Sri Kunwar Singh, resident of Shantipuri No. 2, P.S. Rudrapur, District Udham Singh Nagar

……Applicant(s)

Versus

State of Uttaranchal.

……..Opposite Party.

Arising out of Case Crime No 47 of 2002
Under section 392,411 of I.P.C.,
P.S. Lakkwan,
District Nainital

By the Court

Hon'ble Irshad Hussain, J.

Heard learned counsel for the applicant-accused and the learned A.G.A. The applicant-accused was not named in the F.I.R. According to the prosecution, a Sum of Rs.6,000.00, out of the amount of Rs. 97,000.00 said to have been looted, was Recovered from him. There was nothing to identify the currency notes. So far as the Identification of the applicant is concerned, only one witness has identified him and the Identification parade was held after 45 days. Considering the single identification and The delay in holding the identification parade, it is a fit case for bail.

Let the applciatn Dheeraj Kmar alias Battu, son of Sri Kunwar Singh, resident of Shantipuri No.2, P.S. Rudrapur, District Udham Singh Nagar be released on bail in case Crime no. 47 of 2002, under sections 392, 411 of I.P.C., P.S. Lalkuwan, District Nainital on His filing a personal bond and adequate sureties to the satisfaction of the C.J.M., Nainital.

(Irshad Hussain, J.)

21.08.02./B